

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
N/S Galetree Court, 509 ft. W		
Of the c/l of Old Spring Court	*	ZONING COMMISSIONER
8 th Election District		
3rd Councilmanic District	*	OF BALTIMORE COUNTY
14 Galetree Court		
Bernard LaHatte, et ux	*	CASE NO. 99-180-A
Petitioners		

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Bernard LaHatte and Sue LaHatte, his wife, property owners, for that property known as 14 Galetree Court in the Cockeysville section of Baltimore County. The Petitioners herein seek a variance from Sections 1B02.3.B and 301.1.A of the Baltimore County Zoning Regulations (BCZR) to allow a setback of 27 ft., in lieu of the required 30 ft., for an addition. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

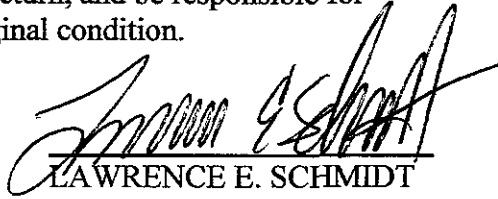
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the BCZR, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23rd day of November 1998 that the Petition for an Administrative Variance from

ORDERED FOR FILING
 Date 11/23/98
 By [Signature]

Sections 1B02.3.B and 301.1.A of the Baltimore County Zoning Regulations (BCZR) to allow a setback of 27 ft., in lieu of the required 30 ft., for an addition, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR
BALTIMORE COUNTY

LES:mmn

ORDER RE: BALTIMORE COUNTY ZONING
DATE 11/23/98
BY M. G. G. G.



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

November 19, 1998

Mr. and Mrs. Bernard LaHatte
14 Galetree Court
Cockeysville, Maryland 21030

RE: Petition for an Administrative Variance
Case No. 99-180-A
Location: 14 Galetree Court

Dear Mr. and Mrs. LaHatte:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an Appeal, please feel free to contact our Appeals Clerk at AC-410-887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
Encl.



**ADMINISTRATIVE VARIANCE
CLOSING DATE – NOVEMBER 13, 1998**

CASE NUMBER: 99-178-A

2002 Windys Run Road

W/S Windys Run Road, 63' S of centerline Caton Glen Road

1st Election District – 1st Councilmanic District

Legal Owner: William J. Santo & Janet L. Kirmil

Administrative Variance to allow a deck to be constructed with a rear yard of 11 feet instead of the required 22.5 feet and to amend the last approved Final Development Plan for Lot 41 in Caton Glen.

CASE NUMBER: 99-179-A

8 Chinook Court

E/S Winans Road, 77' +/- W of centerline Marriottsville Road

2nd Election District – 2nd Councilmanic District

Legal Owner: Shirley A. Chandler

Administrative Variance to permit a fence adjoining a neighbor's front yard with a height of 6 feet in lieu of the permitted 3.5 feet.

CASE NUMBER: 99-180-A

14 Galetree Court

N/S Galetree Court, 509' W of centerline Old Spring Court

8th Election District – 3rd Councilmanic District

Legal Owner: Bernard LaHatte & Sue LaHatte

Administrative Variance to permit an addition with a setback of 27 feet in lieu of the required 30 feet.

~~**Closing Date is 11/13 instead of 11/16 as JCM used the wrong posting and closing dates – WCR said to use the closing date of 11/13.~~



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 14 GALETREE COURT

which is presently zoned DR-3.5

This Petition shall be filed with the Dept. of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.B. & 301.1.A, BLZR,

TO PERMIT AN ADDITION WITH A SETBACK OF 27ft- IN LIEU
of THE REQUIRED 30ft-

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) PRACTICAL DIFFICULTY-

1. CURRENT SETBACK DOES NOT ALLOW FOR AN ADDITION TO THE REAR.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

I/We do solemnly declare and affirm under the penalties of perjury that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s)

BERNARD LAHATTE
(Type or Print Name)

Bernard LaHatte
Signature

SUE LAHATTE
(Type or Print Name)

Sue LaHatte
Signature

410-337-2335, W
14 GALETREE CT. 410-628-2688, H
Address Phone No

CORKEYSVILLE, MD. 21030
City State Zipcode

Name, Address and phone number of representative to be contacted

(JAME)
Name

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: JLM

DATE 10-23-98

ESTIMATED POSTING DATE:

10-28-98



Printed with Soybean Ink
on Recycled Paper

ITEM #: 180

99-180-A

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 14 GALETREE COURT
address
COCKEYSVILLE, MARYLAND 21030
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address. (indicate hardship or practical difficulty)

PRACTICAL DIFFICULTY - BECAUSE OF THE "PIE-SHAPE" OF THE PROPERTY AND THE SITING OF THE HOME ON THE PROPERTY BY THE BUILDER, THE SETBACK DOES NOT ALLOW FOR AN ADDITION TO THE REAR. ALTHOUGH WE DID NOT REALIZE IT AT THE TIME OF PURCHASE, THE SET-UP OF THE KITCHEN DOES NOT ALLOW US PRACTICAL USE OF THE ROOM. THE ARCHITECTURE AND EXTERIOR MATERIALS OF CONSTRUCTION FOR THE PROPOSED ADDITION WILL MATCH THE EXISTING HOUSE AND HAVE BEEN APPROVED BY THE SPRINGDALE COMMUNITY ASSOCIATION PENDING BALTIMORE COUNTY APPROVAL. THE REAR OF OUR PROPERTY, AS WELL AS THAT OF EACH OF OUR ADJOINING NEIGHBORS, ABUTS LOCAL OPEN SPACE, AND THERE WOULD STILL BE 27' SETBACK FROM THE PROPERTY LINE.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Bernard LaHatte
(signature)
BERNARD LAHATTE
(type or print name)



Sue LaHatte
(signature)
SUE LAHATTE
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit.

I HEREBY CERTIFY, this 21st day of October, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Bernard and Sue LaHatte

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

Oct. 21, 1998
date

Jean H. H. H.
NOTARY PUBLIC

My Commission Expires

A-081-PP

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 14 GALETREE COURT
address
COCKEYSVILLE, MARYLAND 21030
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

PRACTICAL DIFFICULTY - BECAUSE OF THE "PIE-SHAPE" OF THE PROPERTY AND THE SITING OF THE HOME ON THE PROPERTY BY THE BUILDER, THE SETBACK DOES NOT ALLOW FOR AN ADDITION TO THE REAR. ALTHOUGH WE DID NOT REALIZE IT AT THE TIME OF PURCHASE, THE SET-UP OF THE KITCHEN DOES NOT ALLOW US PRACTICAL USE OF THE ROOM. THE ARCHITECTURE AND EXTERIOR MATERIALS OF CONSTRUCTION FOR THE PROPOSED ADDITION WILL MATCH THE EXISTING HOUSE AND HAVE BEEN APPROVED BY THE SPRINGDALE COMMUNITY ASSOCIATION PENDING BALTIMORE COUNTY APPROVAL. THE REAR OF OUR PROPERTY, AS WELL AS THAT OF EACH OF OUR ADJOINING NEIGHBORS, ABUTS LOCAL OPEN SPACE, AND THERE WOULD STILL BE 27' SETBACK FROM THE PROPERTY LINE.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information

Bernard LaHatte
(signature)
BERNARD LAHATTE
(type or print name)



Sue LaHatte
(signature)
SUE LAHATTE
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 31st day of October, 1998, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Bernard and Sue LaHatte

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

Oct. 31, 1998
date

Jan H. [Signature]
NOTARY PUBLIC

My Commission Expires

A-087-PP



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 14 GALETREE COURT

which is presently zoned DR-3.5

This Petition shall be filed with the Dept. of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.B & 301.1.A; BLCR,

TO PERMIT ~~A REAR~~ ^{AN ADDITION} WITH A SETBACK OF 27ft. IN LIEU OF THE REQUIRED 30ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) PRACTICAL DIFFICULTY-

1. CURRENT SETBACK DOES NOT ALLOW FOR AN ADDITION TO THE REAR.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

I/We do solemnly declare and affirm under the penalties of perjury that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s)

BERNARD LAHATTE
(Type or Print Name)

Bernard LaHatte
Signature

SUE LAHATTE
(Type or Print Name)

Sue LaHatte
Signature

410-337-2335, W
14 GALETREE CT. 410-628-2688, H
Address Phone No

COCKEYSVILLE, MD. 21030
City State Zipcode
Name, Address and phone number of representative to be contacted

(JAME)
Name

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted

Zoning Commissioner of Baltimore County

REVIEWED BY: gum

DATE: 10-22-98

ESTIMATED POSTING DATE:

10-28-98



Printed with Soybean Ink
on Recycled Paper

ITEM #: 180

99-180-A

ZONING DESCRIPTION FOR 14 GALETREE COURT

Beginning at a point on the north side of Galetree Court which is 98 feet wide at the distance of 509 feet west of the centerline of Old Spring Court which is 56 feet wide. Being lot #54, Block J. as shown on a plat entitled "Plot 7 (Revised) a part of Section III, Springdale" which plat is recorded among the Land Records of Baltimore County in Plat Book O.T.G. No. 33, Folio 7, containing 8330 square feet. Also know as 14 Galetree Court and located in the 8th Election District, 3rd Councilmanic District.

180

99-180-A

A-081-00

180 No. 060734

BALTIMORE COUNTY, MD
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

7001-61520

DATE 10-23-98 ACCOUNT

AMOUNT \$ 50.00

14 GALE TREE

B. LAMAR

RECEIVED FROM:

(for) M. Van-

FOR:

99-180-A

PAID RECEIPT

PROCESS ACTUAL

10/23/1998 10/23/1998

RECEIVED BY CASHIER LSH LXS DRUGS

5 MISCELLANEOUS CASH RECEIPT

Receipt # 060734

DATE 06/07/94

50.00 CHECK

Baltimore County, Maryland

CASHIER'S VALIDATION

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

Long

CERTIFICATE OF POSTING

*Given
for
wantact
on 11/23/98
file
in your
office*

RE: Case # 99-188-A
Petitioner/Developer:
(Bernie LaHatte)
Date of Hearing/Closing:
(Nov. 16, 1998)

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

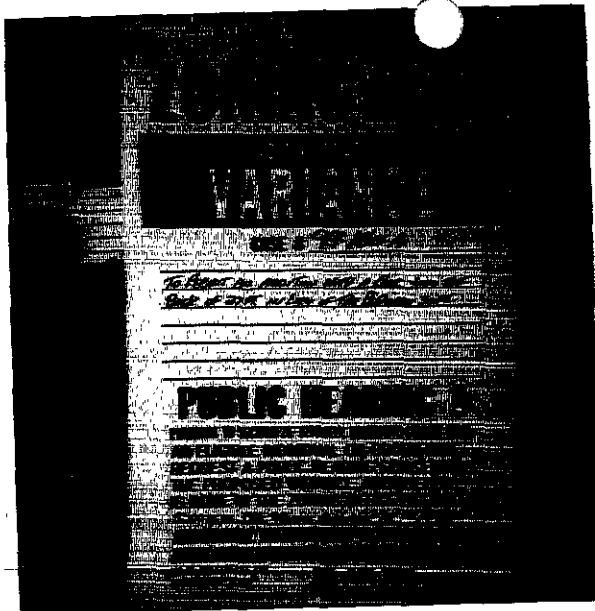
Attention : Ms. Gwendolyn Stephens

Ladies and Gentleman:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by
law were posted conspicuously on the property located at _____

4 Galetree Court Baltimore, Maryland 21030 _____

The sign(s) were posted on _____ Oct. 30, 1998 _____
(Month, Day, Year)



Sincerely,

Thomas P. Ogle
(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.

325 Nicholson Road

Baltimore, Maryland 21221

(410)-687-8405
(Telephone Number)



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Ave
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 180

Petitioner: BERNARD LAHATTE

Location: 14 GALETREE COURT, COCKEYSVILLE, MD. 21030

PLEASE FORWARD ADVERTISING BILL TO:

NAME: BERNARD LAHATTE

ADDRESS: 14 GALETREE CT., COCKEYSVILLE, MD. 21030

PHONE NUMBER: 410-628-2688

AJ:qgs

(Revised 09/24/96)

99-180-A -16-



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 99- 180 -A Address 14 Gale Tree Ct.

Contact Person: J. McPerry Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 10.23.98 Posting Date: 10.28.98 Closing Date: 11.13.98

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 99- 180 -A Address 14 Gale Tree Ct.

Petitioner's Name LaHatte, B. Telephone (410) 628-2688

Posting Date: 10.28.98 Closing Date: 11.13.98

Wording for Sign: A VARIANCE
To Permit A REAR AN ADDITION WITH A REAR YARD
SETBACK OF 27ft. IN LIEU OF THE REQUIRED 30ft.

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: November 9, 1998

FROM: *RWB* Robert W. Bowling, Supervisor
Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for November 9, 1998
Item Nos. 171, 172, 173, 174, 175,
177, 178, 179, 180

The Bureau of Developer's Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

FROM: R. Bruce Seeley *RBS/ys*
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: *11/2/98*

DATE: *11/12/98*

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: *171* *179*
172 *(180)*
175 *99-131-A*
177
178

RBS:sp

BRUCE2/DEPRM/TXTSBP

RECEIVED NOV 13 1998

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

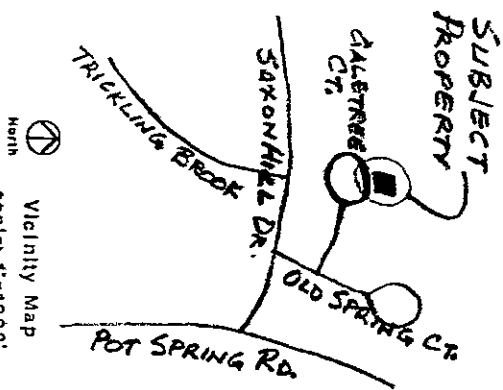
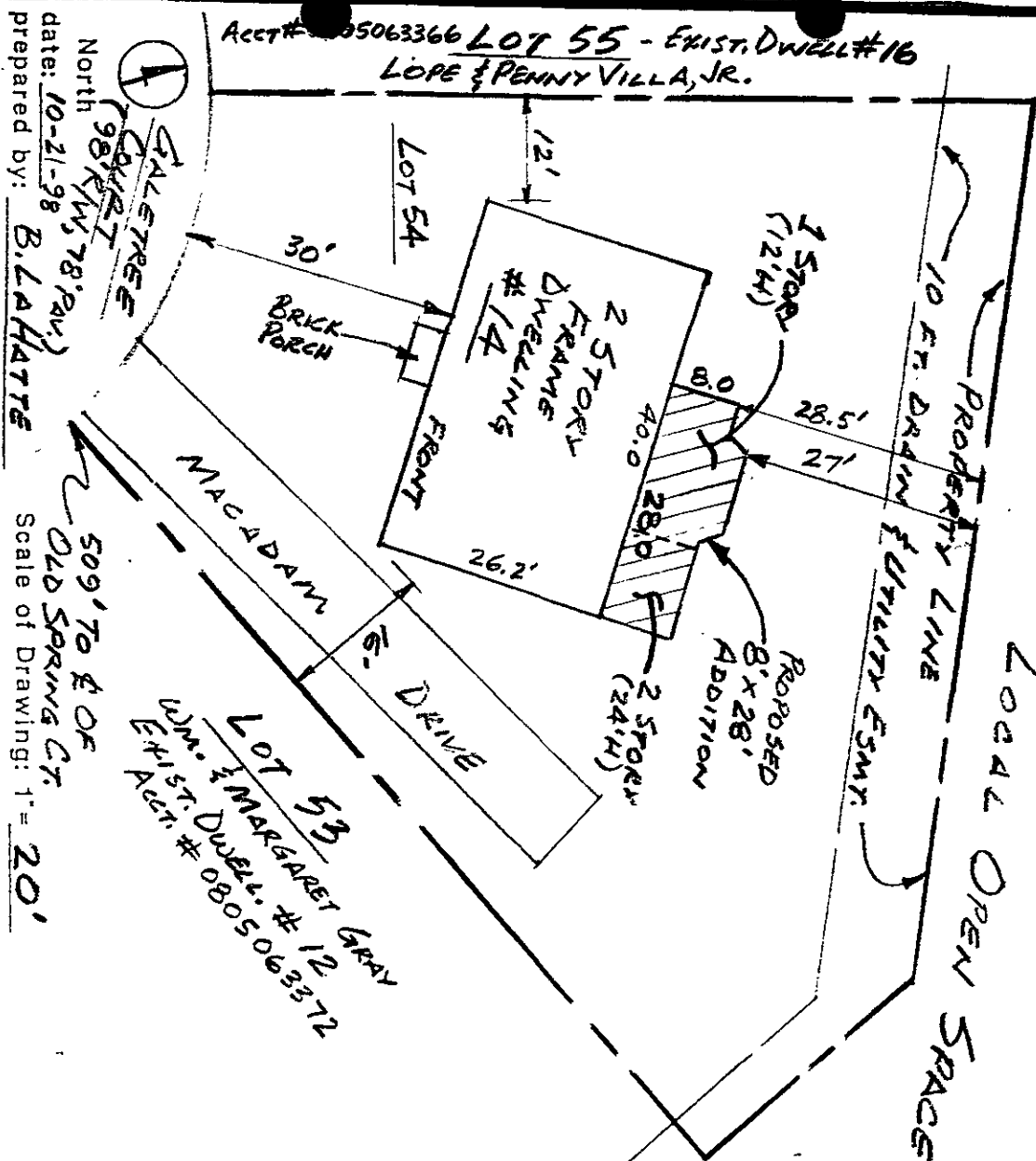
PROPERTY ADDRESS: 14 GALETREE CT

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: SPRINGDALE

plat book # 33, folio # 7, lot # 54, section # III, Block 1

OWNER: _____



LOCATION INFORMATION

Election District: 8th

Councilmanic District: 3RD

1"=200' scale map: N.E. 17-A

Zoning: D.R. 3.5

Lot size: 0.19 acreage 8,330 square feet

SEWER: ☒ public ☐ private
WATER: ☒ public ☐ private

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings:

NONE

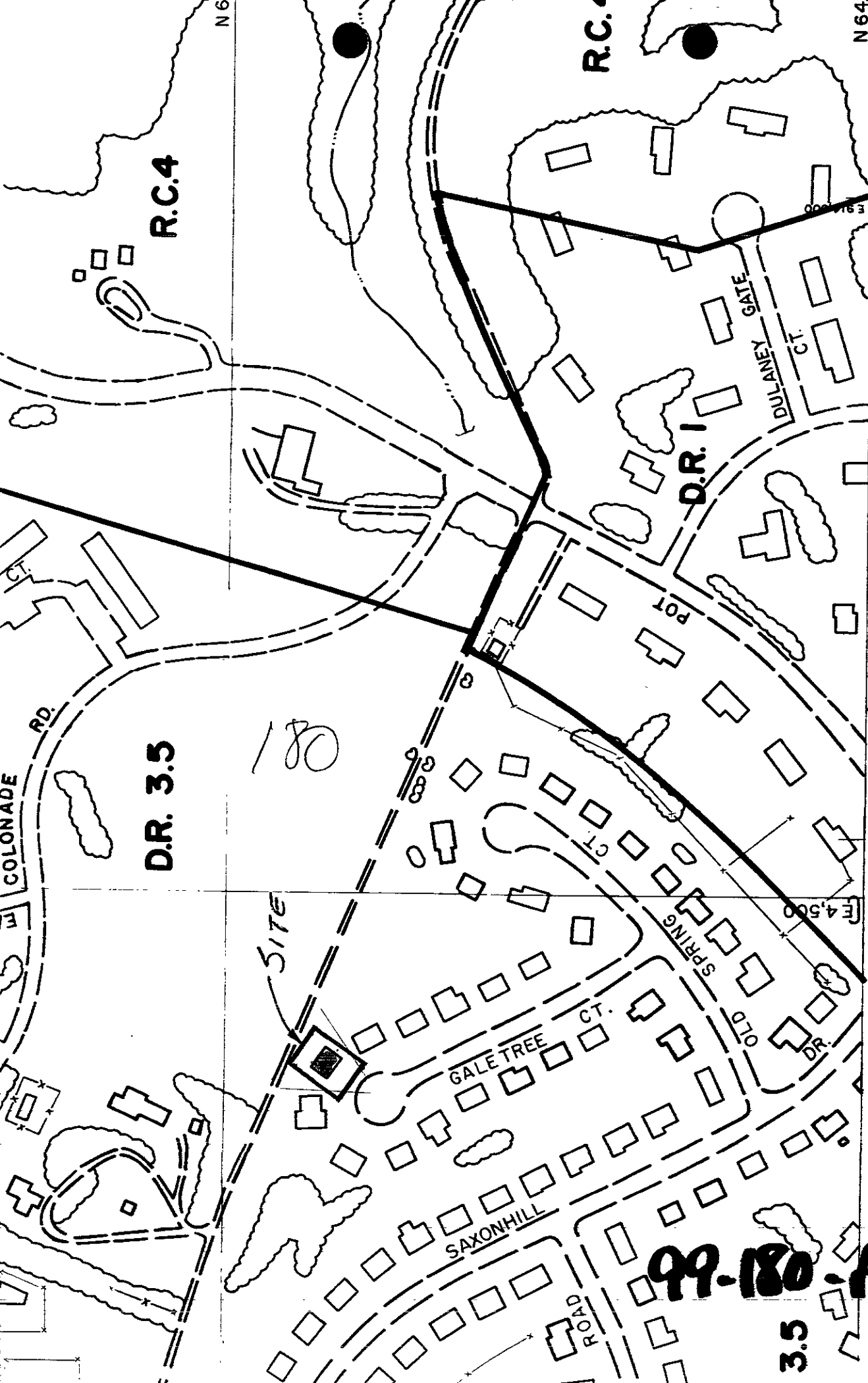
Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

Wm 180

10-23-98 B. & S. LAHATTE
14 GALETREE CT,
COCKEYSVILLE, MD. 21030

99-180-A



LOCATION	LOCH RAVEN RESERVOIR	SCALE 1" = 200' ±	DATE OF PHOTOGRAPHY
			JANUARY 1986
SHEET	N.E. 17-A	99-180-A	

NING
T



99-180-A



99-180-A



99-180-A

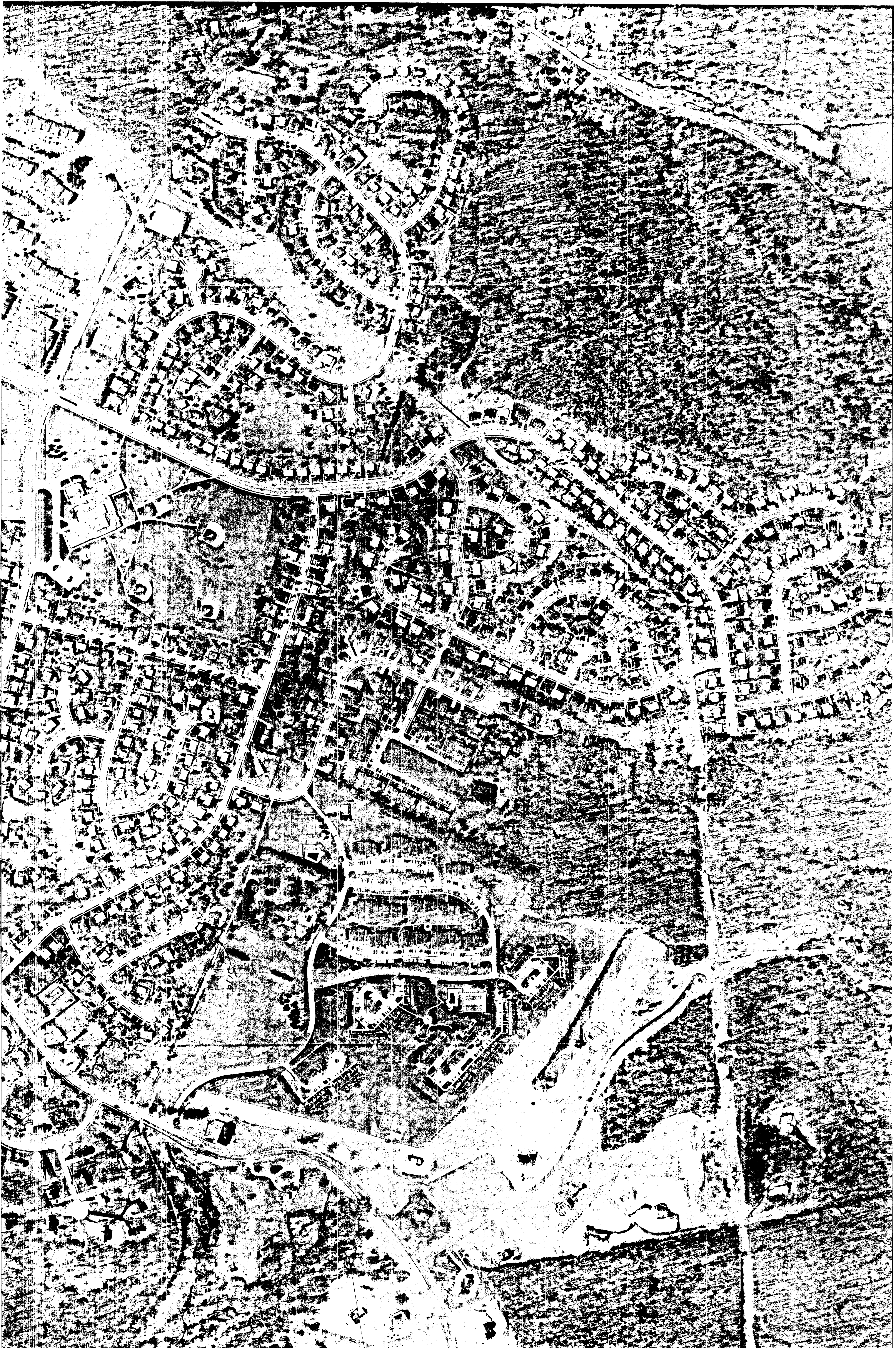


99-180-A



99-180-A

081



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

V-081-66
PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

SCALE		LOCATION	SHEET
1" = 200' ±	DATE OF PHOTOGRAPHY JANUARY 1986		
		LOCH RAVEN RESERVOIR AREA	N.E. 17-A